

Ordinance No. 110683

AN ORDINANCE vacating a portion of the Alley
in Block 3, Green Lake Reservoir Addition.
C.F. 284599

6-9-82 HOLD (3-0)
6-23-82 HOLD
6-7-14-82 PASS (3-0)

COMPTROLLER
FILE NUMBER _____

Council Bill No. 103091

INTRODUCED: JUN 1 1982	BY: EXECUTIVE REQUEST
REFERRED: JUN 1 1982	TO: transp.
REFERRED:	
REFERRED:	
REPORTED: JUL 19 1982	SECOND READING: JUL 19 1982
THIRD READING: JUL 19 1982	SIGNED: JUL 19 1982
PRESENTED TO MAYOR: JUL 20 1982	APPROVED: AUG 29 1982
RETD. TO CITY CLERK: AUG 29 1982	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

CSS 8.1.9



CSS 20.14

The City of Seattle-Legislative Department

M.R. PRESIDENT:

Your Committee on

transp.

to which was referred

C.B. 103091

Vacating a portion of the Alley in Block 3, Green Lake
Reservoir Addition. C.F. 284599

Date Reported

and Adopted

JUL 19 1982

Ordinance No. 110683

AN ORDINANCE vacating a portion of the Alley in Block 3, Green Lake Reservoir Addition. C.F. 284599

(3-0)

HOLD

6-9-82

HOLD

6-23-82

PASS (3-0)

7-14-82

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C.B. 103091

Vacating a portion of the Alley in Block 3, Green Lake Reservoir Addition. C.F. 284599

Date Reported

and Adopted

JUL 19 1982

recommends that the same do pass.

[Signature]

Chairman

Chairman

Law Department

<input checked="" type="checkbox"/> LIGHT	HEALTH
<input checked="" type="checkbox"/> ENG	PARKS
<input type="checkbox"/> DCLU	L & CA
<input type="checkbox"/> DCD	
<input checked="" type="checkbox"/> LAW	

ORDINANCE 110683

AN ORDINANCE vacating a portion of the Alley in Block 3, Green Lake Reservoir Addition. C. F. 284599.

WHEREAS, there has been filed with the City Council the petition of Kernan Dennis, et al., (Comptroller's File No. 284599), for the vacation of a portion of the Alley in Block 3, Green Lake Reservoir Addition, as therein fully described; and

WHEREAS, at a public hearing on said petition on the 26th day of October, 1977, said petition was granted by the City Council; and

WHEREAS, pursuant to R.C.W. 35.79.030 and Seattle Municipal Code 15.62, the petitioners have paid to the City THREE THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$3,450.00), which amount is one-half the appraised value of the property to be vacated, according to an appraisal obtained by the Director of Engineering; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

A portion of the Alley in Block 3, Green Lake Reservoir Addition, as recorded in Volume 16 of Plats, Page 17, Records of King County, Washington; being that portion of the alley between 17th Avenue Northeast and 18th Avenue Northeast from the southeasterly line of Lake City Way Northeast to the north line of Northeast 82nd Street;

be and the same is hereby vacated,

RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of any street abutting upon said property after said vacation; and further,

RESERVING to the City of Seattle the right to reconstruct, maintain, and operate any existing overhead or underground utilities in said alley until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

(To be used for all Ordinances except Emergency.)

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19th day of July, 1982,
and signed by me in open session in authentication of its passage this 19th day of
July, 1982.

James Williams
President of the City Council.

Approved by me this 29th day of July, 1982.
Charles Royer
Mayor.

Filed by me this 29th day of July, 1982.

Jim Hill
Attest: City Comptroller and City Clerk.

(SEAL)

Published

B. *Theresa Dunbar*
Deputy Clerk.

TRANSPORTATION COMMITTEE BRIEFING -- JUNE 23, 1982

Item 4

Alley Vacation, Block 3, Green Lake Addition

File: C.B. 103091 and C.F. 284599

Action: Discussion and Vote

Executive Staff: Larry Knutson (2385)

Briefing By: Bob Morgan

Because of the amount of time which has elapsed since this vacation was first approved (1977), the Committee held action on the vacating ordinance two weeks ago in order to reconsider the reasons behind the vacation. Larry Knutson will be prepared to discuss the matter thoroughly at the June 23 Committee meeting.

At the June 9th discussion, I raised the issue of the fire easement which was a condition of the original approval of the vacation (see the attached briefing). The SED feels the easement is no longer required because a letter has been received from the benefited property owner (Kernan Dennis) withdrawing his request for a fire easement. The SFD has since been requested to re-review the site to determine whether or not the fire easement is necessary. No response has been received at the time of this writing.

TRANSPORTATION COMMITTEE BRIEFING - JUNE 6, 1982

Item 9

Alley Vacation between Lake City Wy NE and
NE 82nd St and 8th Ave NE and 17th Ave NE

Files: C.B. 103091 and C.F. 284599

Action: Discussion and Vote

Executive Staff: Larry Knutson (2385)

Briefing By: Bob Morgan

This vacation was first approved by the Council in 1977. No follow-up action was taken by the petitioner and SED recommended denying last February. At the time, Mr. Routh, son of one of the abutting property owners, asked for some time to pursue the matter and was granted three months by the Committee.

In the meantime Mr. Routh has met all conditions to the satisfaction of SED, including payment of the required \$3,450, one-half the appraised value of the property.

One condition of the vacation stipulated by the Council in 1977 has not been met. At the time the Council required that an easement be granted to the Fire Department for emergency vehicle access from Lake City Wy NE to the northerly property line of Harold E. Routh. (See attached October 28, 1977 memo from George Benson to Kirk Jones, SED.) According to Larry Knutson, the easement was for the benefit of Mr. Dennis and a letter (attached) was recently received from Mr. Dennis withdrawing his request for that easement. Whether or not the attached letter is satisfactory to the Fire Department has not been verified by SED. At the time of this writing, I am in the process of checking this with the Fire Department.

Vac, A, B, L 3, Green Lake Reservoir Add!

February 12, 1982

Mr. Larry Knutson
Seattle Engineering Department
913 Seattle Municipal Building
Seattle, WA 98104

Re: Vacation of a Portion of the Alley in Block 3,
Green Lake Reservoir Addition
Comptrollers File No. 284599

Dear Mr. Knutson:

This will serve as my request and approval to remove the conditions requiring access to the subject alley for fire fighting and first aid response. Accessibility to the property for these purposes is more than adequate without an easement.

Thank you for your assistance in the matter.

Sincerely,

Kernan D. Dennis
Kernan Dennis
8211 18th Ave. N.E.
Seattle, WA 98115

02 MAY 14 10:54

SEATTLE FIRE DEPT.



Seattle City Council
Memorandum

Date: October 28, 1977

To: Kirk Jones, SED

From: George Benson, *Chairman, Transportation Committee*

Subject: C.F. 284599 -- Petition for the Vacation of a Portion of the Alley in Block 3, Greenlake Reservoir Addition

On Wednesday, October 26 the Transportation Committee conducted a public hearing on C.F. 284599. The BPW recommendation was explained and public testimony was taken. The Committee believes that the petition should be granted after conditions are met:

- A. An easement granted to the Fire Department for emergency vehicle access from Lake City Way Northeast to the northerly property line of Harold F. Routh.
- B. A presentation from the Engineering Department on procedures which must be followed by private individuals wishing to address drainage problems by hooking into the existing sewer system.

The Committee is "holding" the petition pending compliance with the above noted conditions. Please notify my office when the easement is obtained and the report can be presented to the Committee.

GEB/kg

CC: All Members, Transportation Committee

Your
Seattle
Fire Department

Frank R. Hanson, Chief
Wes Uhlman, Mayor

May 4, 1977



FIRE PREVENTION
DOESN'T COST . . .
. IT PAYS!

Mr. Paul Wiatrak, City Engineer
Room 902, Municipal Building
600 Fourth Avenue
Seattle, Washington 98104

RE: Alley Vacation, Block 3, Green Lake Reservoir Addition,
Comptroller File #284599

Dear Mr. Wiatrak:

The Fire Department has received the proposal to vacate the
above described alley. We oppose this vacation for the
following reasons:

1. The Fire Department uses alleys as access for fire
fighting and first aid response.
2. The building and fire codes are predicated on sepa-
rations which are provided by streets and alleys.
It is recognized in some instances that consolida-
tion of property is desirable for specific develop-
mental purposes. When this occurs there are usually
additional code items required to compensate for the
larger and less accessible tracts.
3. The Fire Department feels that arbitrary vacation of
dedicated public access sets a very dangerous prece-
dent.

If we may be of further assistance in this matter, please
call the Engineering Section, 625-4085.

Very truly yours,

Frank R. Hanson, Chief
Seattle Fire Department

FRH:sb
WAH:AJS

ACTION	
INFORMATION	
WSPS/CHU/IKK	

SI ALI ENG DEPT
MAY 6 9 55 AM '77

City of Seattle

Executive Department-Office of Management and Budget

John D. Saven, Director
Charles Royer, Mayor

May 24, 1982



COPY OF WITHIN RECEIVED

#4048
Crawford (OK) GFC

The Honorable Douglas Jewett
City Attorney
City of Seattle

MAY 25 1982

Douglas N. Jewett
CITY ATTORNEY

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Engineering

SUBJECT: Vacating a portion of the alley in Block 3, Green Lake Reservoir
Addition. C.F. 284599.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- () Do not file with City Council but return the proposed legislation to OMB for our review. Return to _____.

Sincerely,

Charles Royer
Mayor

By

John D. Saven
John Saven
Budget Director

JS/kc/lca

Enclosure

cc: Director, SED

Seattle
Engineering Department



Eugene V. Avery, Director of Engineering
Charles Royer, Mayor

REC'D OMB MAY 19 1982

May 6, 1982

821057

Honorable Charles Royer
Mayor of the City of Seattle
1200 Municipal Building
Seattle, Washington

Attention: Office of Management & Budget

RE: Vacation of a Portion of the Alley,
Block 3, Green Lake Reservoir Addition
C.F. No. 284599

Dear Sir:

We are transmitting for City Council approval a Council bill vacating a portion of the Alley, Block 3, Green Lake Reservoir Addition, being that portion of the Alley between 17th Avenue Northeast and 18th Avenue Northeast from the southeasterly line of Lake City Way Northeast to the north line of Northeast 82nd Street. The vacation was granted by the City Council at a public hearing commencing on October 26, 1977.

The petitioner has paid the required \$3,450.00, which is one-half the appraised value of the property according to an appraisal obtained by the Director of Engineering.

Yours Truly,

EUGENE V. AVERY
Director of Engineering

Maryann S. Huhs
By
MARYANN S. HUHS
Assistant Director
Management Support Division

LAK:ed

cc: Kernan R. Dennis
Gerald L. Woodruff, Jr.

Law Department

8209240649

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be and the same is hereby vacated,

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8209240649

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Passed by the City Council the 19th day of July, 1982,
and signed by me in open session in authentication of its passage this 19th day of
July, 1982.

James Williams
President of the City Council.

Approved by me this 29th day of July, 1982.
Charles Roper
Mayor.

Filed by me this 29th day of July, 1982.

Attest: Jim Hill
City Comptroller and City Clerk.

(SEAL)

Published.....

By Theresa Dunbar
Deputy Clerk.

RECORDED THIS DAY

SEP 21 2 28 PM '92

OFFICE OF
RECORDS & ELECTIONS
KING COUNTY

FILED for Record at Request of

Return to:

82/09/24
RECD F
CASHL

\$5.00 #0649 D
*****5.00
22

TIM HILL, CITY COMPTROLLER
101 SEATTLE MUNICIPAL BUILDING
SEATTLE, WA 98104

8209240649

RECORDING NOTES
PORTIONS OF THIS DOCUMENT MAY QUALIFY FOR FILING

STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)

I, TIM HILL, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this 8th day of September, 1992

TIM HILL
Comptroller and City Clerk

By:

Theresa Dunbar

Deputy Clerk



C-215

Affidavit of Publication

STATE OF WASHINGTON
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 110682

was published on **August 2, 1982**

B. Blawie
.....
Subscribed and sworn to before me on

August 2, 1982

J. Michalego
.....
Notary Public for the State of Washington,
residing in Seattle.